

REMARKS

This paper is responsive to the Office Action dated April 24, 2007. Claims 1-2 and 10-13 are currently pending in the subject application. Claims 1, 2 and 10-13 have been amended. Support for all amended claims can be found in the specification, and no new matter has been added by these amendments. Reconsideration of the claims in view of the amendments and the following remarks is respectfully requested.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 2 and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,598,391 issued to *Mukawa*. Without conceding the merits of the rejection, Applicants respectfully submit that the amended claims overcome this rejection.

Claim 1, as amended, recites in part, "a finalizing process circuit for executing a finalizing process for said optical recording medium." In one feature, "the finalizing process making the optical recording medium to be compatible with a read-only disc." In another feature, "when either one of the remaining capacity of said first electric power source or voltage of said second electric power source is detected to be equal to or higher than a predetermined value, in said first detector circuit and said second detector circuit, the finalizing process is initiated by said finalizing process circuit upon said optical recording medium." Support for the amendment to claim 1 is found on page 26, lines 4-8 of the specification.

In contrast, *Mukawa* teaches recording a user table of contents (U-TOC) on a disc. (Column 15, lines 21-22). This is different than the finalizing process of claim 1.

Neither *Mukawa* nor any of the other cited references, alone or in combination, teach all of the features recited in independent claim 1. Specifically, *Mukawa* does not teach "the finalizing process making the optical recording medium to be compatible with a read-only disc." For at least this reason, claim 1 is allowable over the cited art, as is claim 11 which depends from claim 1.

Independent claims 2, 12 and 13, as amended, recite features that are similar to the features recited in amended claim 1. As discussed above with reference to claim 1, the cited

art does not teach these features. Thus, claims 2, 12 and 13 are also allowable over the cited art for at least the same reasons.

In view of the foregoing, withdrawal of the rejection of claims 1, 2 and 11-13 under 35 U.S.C. 102(b) is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Mukawa* in view of United States Patent No. 6,744,465 issued to *Tomikawa*. Without conceding the merits of the rejection, Applicants respectfully submit that the amended claims overcome this rejection.

Claim 10 depends from claims 1 and 2. The rejection of the claim 10 is premised on the assertion that *Mukawa* discloses the features recited in claims 1 and 2, and *Tomikawa* discloses the remaining features of claim 10.

As discussed above, however, *Mukawa* does not disclose or suggest all features recited in amended claims 1 and 2. As best understood, *Tomikawa* does not provide any teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 10.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

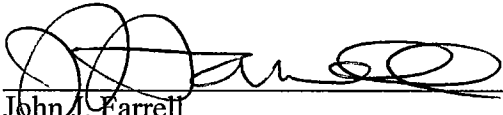
Application No. 10/087,514
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Reply to Office Action of April 24, 2007

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

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